

CHAPTER 6A—DISABLED AMERICAN VETERANS

§ 90c. Purposes of corporation

The purposes of this corporation shall be—

To uphold and maintain the Constitution and the laws of the United States, to realize the true American ideals and aims for which those eligible to membership fought; to advance the interests and work for the betterment of all wounded, injured, and disabled American veterans; to cooperate with the Department of Veterans Affairs and all other public and private agencies devoted to the cause of improving and advancing the condition, health, and interests of all wounded, injured, and disabled veterans; to stimulate a feeling of mutual devotion, helpfulness, and comradeship among all wounded, injured, and disabled veterans; to serve our comrades, our communities, and our country; and to encourage in all people that spirit of understanding which will guard against future wars.

(As amended June 13, 1991, Pub. L. 102-54, § 13(n)(2), 105 Stat. 278.)

AMENDMENTS

1991—Pub. L. 102-54 substituted "Department of Veterans Affairs" for "United States Veterans' Administration".

CHAPTER 8—AMERICAN BATTLE MONUMENTS COMMISSION

§ 121. American Battle Monuments Commission; appointment; secretary; terms of office; vacancies; expenses; designation and employment of personnel

The Commission, known as the American Battle Monuments Commission (referred to in sections 121, 122b to 125, 127, 128, 131, 132, and 138 to 138b of this title as the Commission), shall consist of not more than eleven members who shall be appointed by the President, who shall also appoint one officer of the Regular Army to serve as its secretary. The members and secretary shall serve at the pleasure of the President who shall fill any vacancies that from time to time occur. Notwithstanding any other provision of law, members of the armed forces of the United States may be appointed members of the Commission.

[See main edition for text of 2d to 4th pars.]

(As amended Dec. 18, 1989, Pub. L. 101-237, title V, § 503, 103 Stat. 2094.)

AMENDMENTS

1989—Pub. L. 101-237 substituted "members of the armed forces" for "commissioned officers of the armed forces" in third sentence.

§ 121b. Station allowance for Army officers serving on Commission

[See main edition for text]

(Oct. 6, 1992, Pub. L. 102-389, title III, 106 Stat. 1595.)

SIMILAR PROVISIONS

Similar provisions were contained in the following prior appropriation acts:

Oct. 28, 1991, Pub. L. 102-139, title III, 105 Stat. 760.
Nov. 5, 1990, Pub. L. 101-507, title III, 104 Stat. 1370.
Nov. 9, 1989, Pub. L. 101-144, title III, 103 Stat. 854.

§ 122. Expenses of officers of Armed Forces serving on Commission

[See main edition for text]

(Oct. 6, 1992, Pub. L. 102-389, title III, 106 Stat. 1595.)

SIMILAR PROVISIONS

Similar provisions were contained in the following prior appropriation acts:

Oct. 28, 1991, Pub. L. 102-139, title III, 105 Stat. 760.
Nov. 5, 1990, Pub. L. 101-507, title III, 104 Stat. 1370.
Nov. 9, 1989, Pub. L. 101-144, title III, 103 Stat. 854.

§ 122a. Reimbursement of agencies for salary, pay, and allowances of assigned personnel

[See main edition for text]

(Oct. 6, 1992, Pub. L. 102-389, title III, 106 Stat. 1595.)

SIMILAR PROVISIONS

Similar provisions were contained in the following prior appropriation acts:

Oct. 28, 1991, Pub. L. 102-139, title III, 105 Stat. 760.
Nov. 5, 1990, Pub. L. 101-507, title III, 104 Stat. 1370.
Nov. 9, 1989, Pub. L. 101-144, title III, 103 Stat. 854.

CHAPTER 9—NATIONAL OBSERVANCES

Sec.

- 155a. President's Committee on Employment of People With Disabilities; authorization of appropriations.
- 155h. Acceptance of voluntary services, gifts, devices, bequests, etc., by President's Committee on Employment of People With Disabilities.
- 169k. Asian/Pacific American Heritage Month.
 - (a) Designation.
 - (b) Federal proclamation.
 - (c) State proclamations.
 - (d) "State" defined.

§ 149. April thirteenth for commemoration of Thomas Jefferson's birth

THOMAS JEFFERSON COMMEMORATION COMMISSION

Pub. L. 102-343, Aug. 17, 1992, 106 Stat. 915, provided for establishment of Thomas Jefferson Commemoration Commission, a 21-member commission appointed by President, which was to plan, develop, and coordinate programs and activities to commemorate the 250th anniversary of birth of Thomas Jefferson, to honor historical locations associated with life of Thomas Jefferson, and to award medals and certificates to individuals and organizations that have significantly contributed to preservation of Jefferson's professional accomplishments. Commission to submit a final report to President and to Congress no later than Dec. 31, 1993, and to terminate not later than 60 days following that date.

§ 155a. President's Committee on Employment of People With Disabilities; authorization of appropriations

In order to effectuate the purposes of National Disability Employment Awareness Month and in order to enable the President to provide the President's Committee on Employment of People With Disabilities with adequate person-

nel to assist in its activities, and otherwise to provide the committee with the means of carrying out a program to promote the employment of persons with disabilities, by creating Nationwide interest in the rehabilitation and employment of such persons and by obtaining and maintaining cooperation from all public and private groups in the field, there is hereby authorized to be appropriated for each of the fiscal years 1993, 1994, 1995, 1996, and 1997, such sums as may be necessary to be expended in such manner and by such agencies as the President may direct, for the work of the President's Committee on Employment of People With Disabilities.

(July 11, 1949, ch. 302, § 1, 63 Stat. 409; Aug. 3, 1954, ch. 655, § 5, 68 Stat. 665; Sept. 13, 1960, Pub. L. 86-772, 74 Stat. 913; June 24, 1964, Pub. L. 88-321, 78 Stat. 221; Nov. 8, 1965, Pub. L. 89-333, § 14, 79 Stat. 1294; July 7, 1968, Pub. L. 90-391, § 14, 82 Stat. 306; Oct. 21, 1986, Pub. L. 99-506, title IX, § 902, 100 Stat. 1841; Nov. 7, 1988, Pub. L. 100-630, title III, § 301(b)(1), (2), 102 Stat. 3316; June 6, 1991, Pub. L. 102-52, § 9(b), 105 Stat. 263; Oct. 29, 1992, Pub. L. 102-569, title IX, § 914, 106 Stat. 4488.)

AMENDMENTS

1992—Pub. L. 102-569, § 914(3), which directed the substitution of "for each of the fiscal years 1993, 1994, 1995, 1996, and 1997," for "for each of the fiscal years 1987, 1988, 1989, 1990, and 1991," was executed by making the substitution for "for each of the fiscal years 1987, 1988, 1989, 1990, 1991, and 1992," to reflect the probable intent of Congress and the intervening amendment by Pub. L. 102-52. See 1991 amendment note below.

Pub. L. 102-569, § 914(1), (2), and (4), substituted "persons with disabilities" for "handicapped persons" and "such persons" for "the handicapped" and struck out at end "The President's Committee on Employment of the Handicapped shall be guided by the general policies of the National Council on the Handicapped."

1991—Pub. L. 102-52 substituted "1990, 1991, and 1992," for "1990, and 1991,".

1988—Pub. L. 100-630 substituted "National Disability Employment Awareness Month" for "National Employ the Physically Handicapped Week" and substituted "President's Committee on Employment of People With Disabilities" for "President's Committee on National Employ the Physically Handicapped Week" in two places.

1988—Pub. L. 99-506 substituted "for each of the fiscal years 1987, 1988, 1989, 1990, and 1991, such sums as may be necessary" for "annually, out of any money in the Treasury not otherwise appropriated, not to exceed the sum of \$1,000,000" and inserted at end "The President's Committee on Employment of the Handicapped shall be guided by the general policies of the National Council on the Handicapped."

1988—Pub. L. 90-391 substituted "employment of handicapped persons" for "employment of physically handicapped persons" and "\$1,000,000" for "\$500,000".

1965—Pub. L. 89-333 substituted "\$500,000" for "\$400,000".

1964—Pub. L. 88-321 substituted "\$400,000" for "\$300,000".

1960—Pub. L. 86-772 substituted "\$300,000" for "\$225,000".

1954—Act Aug. 3, 1954, substituted "\$225,000" for "\$75,000".

EFFECTIVE DATE OF 1954 AMENDMENT

Amendment by act Aug. 3, 1954, effective July 1, 1954, see section 8 of act Aug. 3, 1954, set out as a note under section 49b of Title 29, Labor.

§ 155b. Acceptance of voluntary services, gifts, devises, bequests, etc., by President's Committee on Employment of People With Disabilities

The President's Committee on Employment of People With Disabilities may—

(1) accept voluntary and uncompensated services, notwithstanding the provisions of section 1342 of title 31; and

(2) in the name of the Committee, accept, employ, and dispose of, in furtherance of this resolution, any money or property, real, personal, or mixed, tangible or nontangible, received by gift, devise, bequest, or otherwise.

(July 11, 1949, ch. 302, § 2, as added Nov. 7, 1988, Pub. L. 100-630, title III, § 301(b)(3), 102 Stat. 3316.)

§ 169j. Martin Luther King, Jr., Federal legal holiday
The Congress finds that—

[See main edition for text of (1) and (2)]

(3) it is appropriate for the Federal Government to coordinate efforts with Americans of diverse backgrounds and with private organizations in the observance of the Federal legal holiday honoring Martin Luther King, Jr.

(As amended Pub. L. 101-30, § 2(b)(1), May 17, 1989, 103 Stat. 60.)

AMENDMENTS

1989—Par. (3). Pub. L. 101-30 struck out "first" before "observance".

SHORT TITLE OF 1989 AMENDMENT

Section 1 of Pub. L. 101-30 provided that: "This Act [amending this section and sections 169j-2 to 169j-8 of this title and enacting provisions set out as notes under sections 169j-3 and 169j-8 of this title] may be cited as the 'Martin Luther King, Jr., Federal Holiday Commission Extension Act'."

§ 169j-2. Purposes of Martin Luther King, Jr. Federal Holiday Commission

The purposes of the Commission are—

(1) to encourage appropriate ceremonies and activities throughout the United States relating to the observance of the Federal legal holiday honoring Martin Luther King, Jr., which occurs on the third Monday in January each year; and

[See main edition for text of (2)]

(As amended Pub. L. 101-30, § 2(b)(2), May 17, 1989, 103 Stat. 60.)

AMENDMENTS

1989—Par. (1). Pub. L. 101-30 substituted "occurs on the third Monday in January each year" for "first occurs on January 20, 1986".

§ 169j-3. Membership of Martin Luther King, Jr. Federal Holiday Commission

[See main edition for text of (a) and (b)]

(c) Appointments; vacancies

(1) Except as provided in paragraphs (2) and (3), members of the Commission shall be appointed not later than June 1 of each year for

terms of 1 year, and any vacancy in the Commission shall be filled in the manner in which the original appointment was made. Any vacancy in the Commission shall not affect its powers.

(2) Coretta Scott King shall serve as a member for life. In the event of a vacancy, her position on the Commission shall be filled by a member of the family surviving Martin Luther King, Jr., not already a member of the Commission, who shall be appointed by the family and shall serve as a member of the Commission at the discretion of the family.

(3) The 2 members of the Commission appointed as members of the family surviving Martin Luther King, Jr., shall serve as members of the Commission at the discretion of the family.

(d) Compensation

Members of the Commission shall serve without pay, but may, subject to the availability of sufficient funds, be allowed travel expenses, including per diem in lieu of subsistence, while away from their homes or regular places of business in the performance of services for the Commission.

(As amended Pub. L. 101-30, §§ 3(a), 6(b)(1), May 17, 1989, 103 Stat. 60, 61.)

AMENDMENTS

1989—Subsec. (c). Pub. L. 101-30, § 3(a), amended subsec. (c) generally. Prior to amendment, subsec. (c) read as follows: "Members shall be appointed for the life of the Commission. Any vacancy in the Commission shall not affect its powers, but shall be filled in the manner in which the original appointment was made."

Subsec. (d). Pub. L. 101-30, § 6(b)(1), substituted "subject to the availability of sufficient funds" for "subject to section 169j-6 of this title".

CONTINUATION OF TERMS OF EXISTING MEMBERS

Section 3(b) of Pub. L. 101-30 provided that: "The individuals who are members of the Commission on the date of the enactment of this Act [May 17, 1989] shall be considered to have been appointed members for a term ending on the first June 1 that occurs after the date of the enactment of this Act (pursuant to section 4(a) of Public Law 98-399 (98 Stat. 1473) [36 U.S.C. 169j-3(a)] or section 2(c) of this Act [set out as a note under section 169j-8 of this title], as appropriate."

§ 169j-4. Operations of Martin Luther King, Jr. Federal Holiday Commission

[See main edition for text of (a) and (b)]

(c) Repealed. Pub. L. 101-30, § 7, May 17, 1989, 103 Stat. 61

(As amended Pub. L. 101-30, § 7, May 17, 1989, 103 Stat. 61.)

REFERENCES IN TEXT

This Act, referred to in subsec. (b), is Pub. L. 98-399, Aug. 27, 1984, 98 Stat. 1473, as amended, which enacted sections 169j to 169j-8 of this title. For complete classification of this Act to the Code, see Tables.

AMENDMENTS

1989—Subsec. (c). Pub. L. 101-30 struck out subsec. (c) which provided that Federal Advisory Committee Act did not apply to Commission.

§ 169j-5. Activities of Martin Luther King, Jr. Federal Holiday Commission

(a) Director and staff

The Commission may appoint a director and a staff of not more than five persons, without regard to the provisions of title 5 governing appointments in the competitive service. Subject to the availability of sufficient funds, the Commission shall set the rates of pay for the director and staff, except that the director may not be paid at a rate in excess of the maximum rate of pay payable for grade GS-18 of the General Schedule under section 5332 of title 5, and no staff member may be paid at a rate in excess of the maximum rate of pay payable for grade GS-13 of such General Schedule.

[See main edition for text of (b)]

(c) Restrictions on Commission activities

In carrying out the responsibilities of the Commission under this Act, the Commission shall not make any expenditures, or receive or utilize any assistance in the form of the use of office space, personnel, or any other assistance authorized under subsection (b) of this section, for any of the following purposes—

(A) training activities for the purpose of directing or encouraging—

(i) the organization or implementation of campaigns to protest social conditions, and
(ii) any form of civil disobedience.

(As amended Pub. L. 101-30, §§ 4, 6(b)(2), May 17, 1989, 103 Stat. 61.)

REFERENCES IN TEXT

This Act, referred to in subsecs. (b) and (c), is Pub. L. 98-399, Aug. 27, 1984, 98 Stat. 1473, as amended, which enacted sections 169j to 169j-8 of this title. For complete classification of this Act to the Code, see Tables.

AMENDMENTS

1989—Subsec. (a). Pub. L. 101-30, § 6(b)(2), substituted "Subject to the availability of sufficient funds" for "Subject to section 169j-6 of this title".

Subsec. (c). Pub. L. 101-30, § 4, added subsec. (c).

REFERENCES IN OTHER LAWS TO GS-16, 17, OR 18 PAY RATES

References in laws to the rates of pay for GS-16, 17, or 18, or to maximum rates of pay under the General Schedule, to be considered references to rates payable under specified sections of Title 5, Government Organization and Employees, see section 529 [title I, § 101(c)(1)] of Pub. L. 101-509, set out in a note under section 5376 of Title 5.

§ 169j-6. Authorization of appropriations

There are authorized to be appropriated to carry out this Act \$300,000 for fiscal year 1989 and each of the 4 succeeding fiscal years.

(As amended Pub. L. 101-30, § 6(a), May 17, 1989, 103 Stat. 61.)

REFERENCES IN TEXT

This Act, referred to in text, is Pub. L. 98-399, Aug. 27, 1984, 98 Stat. 1473, as amended, which enacted sec-

¹ So in original. No subpar. (B) has been enacted.

tions 169j to 169j-8 of this title. For complete classification of this Act to the Code, see Tables.

AMENDMENTS

1989—Pub. L. 101-30 amended section generally. Prior to amendment, section read as follows: "All expenditures of the Commission shall be made from donated funds."

§ 169j-7. Annual report of Martin Luther King, Jr. Federal Holiday Commission

Not later than April 20 of each year, the Commission shall submit a report to the President and the Congress concerning its activities under this Act with respect to the most recent observance of the Federal legal holiday honoring the birthday of Martin Luther King, Jr.

(As amended Pub. L. 101-30, § 5, May 17, 1989, 103 Stat. 61.)

AMENDMENTS

1989—Pub. L. 101-30 substituted "with respect to the most recent observance of the Federal legal holiday honoring the birthday of Martin Luther King, Jr." for period at end.

§ 169j-8. Continuation of existence of Martin Luther King, Jr. Federal Holiday Commission

The Commission shall continue in existence until April 20, 1994.

(As amended Pub. L. 101-30, § 2(a), May 17, 1989, 103 Stat. 60.)

AMENDMENTS

1989—Pub. L. 101-30 amended section generally, substituting "continue in existence until April 20, 1994" for "cease to exist after April 20, 1989".

REESTABLISHMENT AFTER TERMINATION

Section 2(c) of Pub. L. 101-30 provided that: "If the date of the enactment of this Act [May 17, 1989] occurs on or after April 20, 1989, the Martin Luther King, Jr. Federal Holiday Commission shall be re-established on the date of the enactment of this Act with the same members and powers that the Commission had, as provided in Public Law 98-399 (98 Stat. 1473) [enacting sections 169j to 169j-8 of this title], on April 19, 1989 (subject to this Act and the amendments made by this Act [see Short Title of 1989 Amendment note set out under section 169j of this title])."

§ 169k. Asian/Pacific American Heritage Month

(a) Designation

May of each year is designated as "Asian/Pacific American Heritage Month".

(h) Federal proclamation

The President is authorized and requested to issue annually a proclamation calling on the people of the United States to observe the month designated in subsection (a) of this section with appropriate programs, ceremonies and activities.

(c) State proclamations

The chief executive officer of each State is requested to issue annually a proclamation calling on the people of the State to observe the month designated in subsection (a) of this section with appropriate programs, ceremonies and activities.

(d) "State" defined

For purposes of subsection (c) of this section, the term "State" means any of the several States, the District of Columbia, the Virgin Islands of the United States, the Commonwealth of Puerto Rico, Guam, American Samoa, the Commonwealth of the Northern Mariana Islands, the Republic of the Marshall Islands, the Federated States of Micronesia, and Palau.

(Pub. L. 102-450, § 2, Oct. 23, 1992, 106 Stat. 2251.)

CONGRESSIONAL FINDINGS

Section 1 of Pub. L. 102-450 provided that: "The Congress finds that—

"(1) on May 7, 1843, the first Japanese immigrants came to the United States;

"(2) on May 10, 1869, Golden Spike Day, the first transcontinental railroad in the United States was completed with significant contributions from Chinese pioneers;

"(3) in 1979, at Congress' direction, the President proclaimed the week beginning on May 4, 1979, as Asian/Pacific American Heritage Week, providing an opportunity for the people of the United States to recognize the history, concerns, contributions, and achievements of Asian and Pacific Americans;

"(4) in 1990, 1991 and 1992, Congress designated and the President proclaimed the month of May as Asian/Pacific American Heritage Month;

"(5) nearly 8,000,000 people in the United States can trace their roots to Asia and the islands of the Pacific; and

"(6) Asian and Pacific Americans have contributed significantly to the development of the arts, sciences, government, military, commerce, and education in the United States."

CHAPTER 10—PATRIOTIC CUSTOMS

Sec.

189. Recognition of National League of Families POW/MIA flag.

§ 189. Recognition of National League of Families POW/MIA flag

The National League of Families POW/MIA flag is hereby recognized officially and designated as the symbol of our Nation's concern and commitment to resolving as fully as possible the fates of Americans still prisoner, missing and unaccounted for in Southeast Asia, thus ending the uncertainty for their families and the Nation.

(Pub. L. 101-355, § 2, Aug. 10, 1990, 104 Stat. 416.)

DISPLAY OF POW/MIA FLAG

Pub. L. 102-190, div. A, title X, § 1084, Dec. 5, 1991, 105 Stat. 1482, provided that:

"(a) **DISPLAY OF POW/MIA FLAG.**—The POW/MIA flag, having been recognized and designated in section 2 of Public Law 101-355 (104 Stat. 416) [36 U.S.C. 189] as the symbol of the Nation's concern and commitment to resolving as fully as possible the fates of Americans still prisoner, missing, and unaccounted for, thus ending the uncertainty for their families and the Nation, shall be displayed—

"(1) at each national cemetery and at the National Vietnam Veterans Memorial each year on Memorial Day and Veterans Day and on any day designated by law as National POW/MIA Recognition Day; and